



Federal Emergency Management Agency


Washington, D.C. 20472

W-01079

2039-01

December 13, 2001

MEMORANDUM FOR: Write Your Own Principal Coordinators and the National Flood Insurance Program Servicing Contractor

FROM: Robert F. Shea 
Acting Administrator
Federal Insurance and Mitigation Administration

SUBJECT: Notice of an Additional Extension for the Filing of Proofs of Loss under the NFIP for the States of Texas and Louisiana from Tropical Storm Allison between June 4-17, 2001

The Standard Flood Insurance Policy (SFIP) issued under the National Flood Insurance Program (NFIP) provides a period of sixty (60) days from the date of loss within which it is incumbent upon the policyholder to send the NFIP a sworn proof of loss, which is the policyholder's detailed statement of the claim. These provisions are set forth in the SFIP at VII. General Conditions J.4. in the Dwelling Form, VII. General Conditions J.4. in the General Property Form, and VIII. General Conditions, J.4. in the Residential Condominium Building Association Form.

The widespread extent of the destruction caused by torrential rain in the states of Texas and Louisiana this spring compels that the 60-day period within which a proof of loss must be submitted to the NFIP be extended for an additional 60 days. This extension applied to claims for all flood insured properties in the referenced states for the period between June 4 through June 17, 2001, by reason of the flooding in Texas and Louisiana, and to all NFIP policies, whether issued directly by the Federal Insurance and Mitigation Administration or through one of the private insurance companies issuing flood insurance coverage under the Write Your Own Program. For example, the policyholder that suffered a flood loss on June 4 would normally have until August 3, 2001, to submit the proof of loss. With the first extended deadline, the same policyholder had until October 2, 2001, to submit the proof of loss. Because of the severity of damage sustained by properties as a result of Tropical Storm Allison, the settlement of claims was prolonged. Therefore, an additional 60 days was extended to policyholders to submit the proof of loss by December 1, 2001. The settlement of claims in Texas and Louisiana is near completion; however, there are cases that will require an additional extension of time. Therefore, an additional 60 days is being extended to policyholders to submit the proof of loss by January 30, 2002.

The extension of time within which proofs of loss may be sent to the NFIP is made pursuant to the provisions dealing with amendments, waivers, and assignments of the SFIP (VII. General

Conditions D. of the Dwelling Form, VII. General Conditions D. of the General Property Form, and VIII. General Conditions D. of the Residential Condominium Building Association Policy Form).

The Federal Emergency Management Agency (FEMA) is concerned that some NFIP policyholders might be worried that their flood insurance claims could be denied or prove difficult to resolve by late filing of the proof of loss form, and FEMA wishes to alleviate their concerns to the extent possible.

While all other terms and conditions of the SFIP remain in effect, it is hoped that the extension of time for filing proofs of loss by an additional sixty (60) days will give policyholders ample opportunity to present their statement of claim. This extension will be closely monitored by the Federal Insurance and Mitigation Administration to determine whether or not a further extension might be warranted.

Finally, this information is being provided to the Insurance Commissioners of the affected states.

Any questions or inquiries regarding this notice should be directed to James S.P. Shortley Director of Claims, Federal Insurance and Mitigation Administration at (202) 646-3418.

cc: Vendors, IBHS, FIPNC, WYO Marketing Committee,
Government Technical Representative

Suggesting Routing: Claims, Data Processing, Marketing, Underwriting